



## LINCOLN POLICE DEPARTMENT GENERAL ORDERS

**NUMBER:** 1260  
**TOPIC:** EQUAL EMPLOYMENT OPPORTUNITY  
**ISSUED BY:** JAMES PESCHONG, CHIEF OF POLICE  
**DATE:** 1-1-2016  
**SUPERSEDES:** G.O. 1260, 2015  
**REFERENCE:** Personnel Policy Bulletin 2001-2

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### I. POLICY

The Lincoln Police Department endeavors to hire, train, compensate, assign, and promote all persons on the basis of merit. The Department will follow the City's Diversity Policy to treat applicants and employees fairly and equally, without regard to race, religion, gender, sexual orientation, color, national origin, ancestry, age, pregnancy, veteran's status, marital status, handicap, disability, or other legally prohibited bases.

### II. PROCEDURE

#### A. Definitions

1. **Discrimination:** Unequal treatment of employees or applicants without adequate justification because of non-merit factors set forth in the policy statement of this General Order. Examples include, but are not limited to: derogatory comments, slurs, jokes, derogatory pictures, cartoons or posters, and actions which demean an individual based on these non-merit factors.
2. **Sexual Harassment:** Influencing, offering to influence, or threatening the career, pay, or job of another person in exchange for sexual favors; unwelcome sexual advances; or deliberate or repeated offensive comments, written material, gestures, or physical contact of a sexual nature in a work-related environment.
3. **Physical/Mental Disability:** A physical or mental impairment that substantially limits one or more of the major life activities.
4. **Retaliation:** Adverse actions against individuals because they have, in good faith, reported instances of alleged harassment, or participating in any procedure to redress a complaint of harassment or discrimination.

#### B. Equal Employment Opportunity Officer

1. The personnel sergeant is designated as the EEO officer for the Department, and will fulfill this responsibility under the supervision of

the commanding officer of the Education and Personnel Unit. The duties of the EEO officer include, but will not be limited to:

- a. Ensuring all department employment procedures conform to Federal, State, and local EEO laws.
- b. Informal consultation, counseling and mediation with employees regarding equal employment opportunity matters.
- c. Coordination and review of all complaints of suspected discrimination, sexual harassment, or retaliation.
- d. Coordination of equal employment opportunity training.
- e. Evaluation and refinement of the department EEO practices.
- f. Serving as liaison to the City Human Resources Department and other agencies on matters concerning equal employment issues.

2. Although the personnel sergeant functions as the EEO officer, all department supervisors have the responsibility for ensuring that the work environment under their control is free of discrimination and harassment. Supervisors may be held personally liable for violations of the guidelines established by the equal employment opportunity laws which govern our workplace.

#### C. Equal Employment Practices

1. The department is committed to the fair and equal treatment of all employees and applicants. It shall be the duty and responsibility of all employees to ensure a workplace free of discrimination by immediately reporting real or perceived violations of this policy.
2. The department will follow the City of Lincoln Equity, Access and Diversity Plan, and shall endeavor to recruit and retain employees that reflect the diversity of the community in approximate proportion to the makeup of the available work force.

3. The commanding officer of the Education and Personnel Unit is responsible for ensuring that personnel practices are reviewed annually, and conform to the law and this General Order. Any deficiencies shall be reported to the chief of police.
4. The equal opportunity personnel practices of the department will include, but not be limited to, the following elements:
  - a. All employment and promotional processes will be structured, job-related and nondiscriminatory.
  - b. Supervisors will ensure that employees have an opportunity to apply and qualify for appropriate training and job openings.
  - c. All employee annual job performance evaluations will include a review of matters relating to equal employment opportunity.
  - d. All supervisors' annual job performance evaluations will include a review of their performance in handling equal employment opportunity responsibilities.
- f. The Federal Equal Opportunity Commission.
2. An employee may bring a complaint to the attention of any supervisor.
  - a. Upon receipt of the complaint, it will be documented by the supervisor completing an EEO Incident Report.
  - b. The supervisor has a responsibility to forward the complaint to the department EEO officer by the end of the shift they received notice of a possible violation by an employee.
  - c. The department EEO officer shall review and forward the complaint to the City Director of Equity and Diversity for investigation within one business day.
  - d. The department EEO officer will ensure the chief of police is notified of the complaint.

#### D. Prohibited Conduct

1. Discrimination is prohibited. It creates a negative atmosphere that reduces work productivity, morale, undermines the integrity of the workplace, and destroys professionalism.
2. Sexual harassment is prohibited. It is an offensive working condition that will not be tolerated.
3. Retaliation against any employee due to the lodging of an EEO complaint is strictly prohibited.
4. Employees who engage in discrimination, sexual harassment, or retaliation will be subject to disciplinary action including, but not limited to, suspension, demotion, or termination of employment.

#### E. Complaint Procedure

1. Any employee who feels he or she has been the victim of unequal treatment, discrimination or sexual harassment may initiate a complaint by contacting:
  - a. The department EEO officer;
  - b. The employee's immediate supervisor, commanding officer, or unit manager;
  - c. The City Human Resources Director, (402) 441-7888;
  - d. The City Director of Equity and Diversity, (402) 441-8691;
  - e. The Nebraska Equal Opportunity Commission, (402) 471-2024;